

OTPE JC86  
DEC 23 2004

IFW

PTO/SB/21 (08-00)

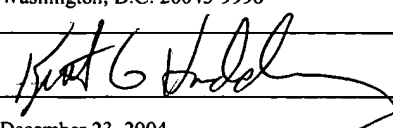
Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<h1>TRANSMITTAL FORM</h1> <p>(to be used for all correspondence after initial filing)</p>		Application Number	10/727,997
		Filing Date	December 4, 2003
		First Named Inventor	Tricia J. VOS et al.
		Group Art Unit	1626
		Examiner Name	Golam M. SHAMEEM
Total Number of Pages in This Submission	11	Attorney Docket Number	29984-208422

ENCLOSURES (check all that apply)				
<input type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application)  <input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <b>Revocation and Power of Attorney; Assignment of Patent Rights with Recordation Form Cover Sheet</b>		
<table border="1"> <tr> <td>Remarks</td> <td></td> </tr> </table>			Remarks	
Remarks				

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Venable P.O. Box 34385 Washington, D.C. 20043-9998	26694 PATENT TRADEMARK OFFICE
Signature	 Keith G. Haddaway, Ph.D., Registration No. 46,180	
Date	December 23, 2004	

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on this date: _____			
Typed or printed name			
Signature		Date	

**VENABLE**  
ATTORNEYS AT LAW

SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, 22313-1450.  
::ODMA\PCDOCS\DC2DOCS\1607515\1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****In re Patent Application:**

Patent Application No.: 10/727,997

Inventor: Tricia J. VOS et al.

Assignee: Millennium Pharmaceuticals, Inc.

Filed: December 4, 2003

Title: MODULATORS OF MELANOCORTIN  
RECEPTOR

Confirmation No. 7133

Art Unit: 1626

Examiner: Golam M. SHAMEEM

Atty. Dkt. No.: 29984-208422  
(Formerly 6001-US)

Customer No.

**26694**

PATENT TRADEMARK OFFICE

**REVOCATION AND POWER OF ATTORNEY**Assistant Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

All previous powers of attorney and authorizations of agent are hereby revoked, and the undersigned hereby appoints the attorneys and agents of **VENABLE LLP** associated with the US Patent and Trademark Office (USPTO) Customer Number

**26694**

PATENT TRADEMARK OFFICE

to prosecute this patent and any international application under the Patent Cooperation Treaty based on it and to transact all business in the USPTO connected therewith.

The authority under this Power of Attorney shall automatically terminate and be revoked upon such person ceasing to be a member, a patent agent, or associate of, or of counsel to, the above-identified law firm.

**DESIGNATION OF CORRESPONDENCE ADDRESS**

Please change the correspondence address and send all notices, official letters, documents, communications and other correspondence concerning this patent to the address with Customer Number:

**26694**

PATENT TRADEMARK OFFICE

That is:

**VENABLE LLP  
Post Office Box 34385  
Washington, D.C. 20043-9998**

Please also record the above-mentioned attorney docket number in any applicable databases.

**CERTIFICATE UNDER 37 C.F.R. §3.73(b)**

Gene Logic, Inc. is the assignee of the entire right, title and interest in this application by virtue of an assignment from the inventors to Millennium Pharmaceuticals Inc., The assignment was recorded in the United States Patent and Trademark Office at Reel 015178, Frame 0703; and

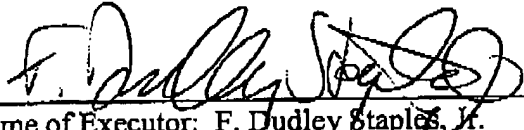
An assignment from Millennium Pharmaceuticals, Inc. to Gene Logic, Inc. through an Assignment of Patent Rights, a copy of which is attached. A request for recordation of this assignment was filed in the United States Patent and Trademark Office on August 30, 2004.

To the best of the undersigned's knowledge and belief, the titles are in the name of said assignee. The undersigned, whose title is supplied below, is empowered to sign this certificate on behalf of the said assignee.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on December 22, 2004.

Signature: \_\_\_\_\_

  
Name of Executor: F. Dudley Staples, Jr.  
Title: Senior Vice President and General Counsel  
GENE LOGIC, INC.

\\ODMA\PCDOCS\DC2DOCS\1593518\1

## **Assignment of Patent Rights**

This ASSIGNMENT OF PATENT RIGHTS (the "Assignment") is entered into this 22<sup>nd</sup> day of July, 2004 (the "Effective Date"), by Millennium Pharmaceuticals, Inc., a Delaware corporation with principal offices at 40 Landsdowne Street, Cambridge, MA 02139 ("Assignor"), and Gene Logic Inc., a Delaware corporation with principal offices at 610 professional Drive, Gaithersburg, MD 20879 ("Assignee").

WHEREAS, Assignor is the owner of the patents and patent applications specified in Schedule A attached hereto (the "Patent Rights");

WHEREAS, pursuant to that Asset Purchase and Technology Rights Agreement between Assignor and Assignee of even date herewith and related agreements, Assignee is acquiring certain assets of Assignor to which the Patent Rights pertain; and

WHEREAS, Assignee is desirous of acquiring the entire and exclusive right, title, and interest in and to the Patent Rights and the underlying inventions described therein, in the United States and throughout the world; and

WHEREAS, Assignor is willing to assign to Assignee all right, title, and interest in and to the Patent Rights in the United States and throughout the world

NOW, THEREFORE, for good and valuable consideration, the sufficiency and receipt of which is hereby acknowledged by Assignor, the parties hereby agree as follows:

1. Assignor hereby assigns, sells, transfers, conveys and sets over to Assignee, its successors and assigns, forever, all of Assignor's right, title, and interest in the United States and throughout the world and for the full term thereof in and to
  - (a) the Patent Rights and any other patents and applications claiming priority thereto,
  - (b) all patents and applications, including provisional applications whether or not filed more than one year ago, that claim the benefit under 35 USC §119 and/or §120 of any application or provisional application to which a patent or application identified in Patent Rights claims benefit under 35 USC §119 and/or §120,
  - (c) the underlying inventions described in (a) and (b) above and all existing improvements thereon and the rights of priority relating thereto,
  - (d) all rights to any patents that may be granted or issued from the patents or applications described in (a), (b), and (c) above, including without limitation any extensions, continuations, continuations-in-part, divisions, reissues, substitutions, reexaminations, and renewals thereof, or other equivalents thereof, and further, and
  - (e) all foreign counterparts of any of the foregoing,
  - (f) all other rights, powers and privileges of whatsoever nature, kind or description pertaining to or arising from the foregoing including,

without limitation, the right to sue or bring other actions and recover for past, present, and future infringement thereof, for Assignee to have, hold, exercise and enjoy in as ample and beneficial a manner as each Assignor might or could have held and enjoyed the same if this assignment had not been made.

2. Assignor further assigns to and empowers Assignee, its successors and assigns or nominees, all rights to make applications for patents or other forms of protection for the inventions assigned above, and to prosecute such applications as well as to claim and receive the benefit of the right of priority provided by the International Convention for the Protection of Industrial Property, as amended, or by any convention which may henceforth be substituted for it, and the right to invoke and claim such right of priority without further written or oral authorization.

3. Assignor further agrees that Assignor will, without charge to Assignee: (a) cooperate with Assignee in the prosecution of patent applications (whether U.S. or foreign) on the inventions and any improvements; (b) execute, verify, acknowledge, and deliver all such further papers, including patent applications, inventor assignments, powers of attorney and instruments of transfer; and (c) perform such other acts and deeds as Assignee lawfully may request to assist Assignee to obtain, maintain, defend, or enforce the rights assigned above in any and all countries, and to vest title thereto in Assignee or Assignee's successors and assigns.

4. Assignor hereby irrevocably authorizes and requests the Director of the United States Patent and Trademark Office, or his designee, and, as appropriate, those corresponding officials in the several states and countries throughout the world, and any other agency or authority having jurisdiction in these matters to record Assignee as the owner of and to issue in accordance with this Assignment, the patents and patent applications which are assigned to Assignee hereby, and hereby irrevocably consents to the filing and recordation of this Agreement in the United States Patent and Trademark Office and with corresponding officials, agencies, and authorities throughout the world.

5. In the event that Assignee is unable for any reason whatsoever to secure Assignor's signature to any document it is entitled to under paragraph 3 above, Assignor hereby irrevocably designates and appoints Assignee and its duly authorized officers and agents, as its agents and attorneys-in-fact to act for and on its behalf and instead of it, to execute and file any such document and to do all other lawfully permitted acts to further the purposes of the foregoing with the same legal force and effect as if executed by Assignee.

6. This Agreement may be executed in facsimile counterparts, and each of which so executed, irrespective of the date of execution and delivery, shall be deemed to be an original, and all such counterparts, together shall constitute one and the same instrument.

7. This Agreement shall be binding on, and shall inure to the benefit of, the parties hereto and their respective successors and assigns.

8. Each party represents that it has taken all necessary action to authorize the execution and delivery of this Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their respective duly authorized officers, as of the Effective Date.

MILLENNIUM PHARMACEUTICALS, INC.

By: 

Name: Mark Levin

Title: Chief Executive Officer

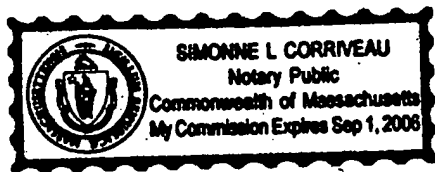
Date: July 22, 2004


The Commonwealth of Massachusetts)

) ss:

County of Middlesex )

On this 22nd day of July, 2004, before me, the undersigned notary public, personally appeared Mark Levin, Chief Executive Officer, proved to me through satisfactory evidence of identification, which was US Passport, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.



  
Notary Public (SEAL)  
Simonne L. Corriveau  
My Commission Expires: Sept. 1, 2006

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their respective duly authorized officers, as of the Effective Date.

GENE LOGIC INC.

By: [Signature]  
Name: Mark Gessler  
Title: President + CEO  
Date: 7/22/04

STATE OF Maryland )  
COUNTY OF Montgomery )

SS.:

On the 22 day of July, 2004, before me, the undersigned, a notary public in and for said State, personally appeared Mark Gessler, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity and that he/she signed it as a free act on his/her own behalf or on behalf of the Assignor with authority to do so.

[Signature]

Notary Public (SEAL)

My Commission Expires: 4/1/08

Geraldine C. Smith, Notary Public  
Montgomery County, Maryland  
My commission expires 4/1/08



**EXHIBIT A****PATENTS****Imaging Patents**

Title	Country	Application #	Filing Date	Status	Publication #	Publication Date	Patent #	Issue Date	Expiration Date
The Use of Non-Invasive Imaging Technologies to Monitor In Vivo Gene Expression	US	60/308,077	07/26/2001	Lapsed					
Use of Non-Invasive Imaging Technologies to Monitor In Vivo Gene Expression	US	10/206,893	07/26/2002	Pending					

**MC4 Antagonist Program Patents**

Title	Country	Application #	Filing Date	Status	Publication #	Publication Date	Patent #	Issue Date	Expiration Date
Melanocortin-4 Receptor Binding Compounds and Methods of Use Thereof	US	09/778,468	02/07/2001	Issued			6,699,873	3/2/2004	
Melanocortin-4 Receptor Binding Compounds and Methods of Use Thereof	US	10/462,436	6/16/2003	Pending	2004/0082779	4/29/2004			
Melanocortin-4 Receptor Binding Compounds and Methods of Use Thereof	AU	not yet received		instructed to file					

### EXHIBIT A (Cont)

Title	Country	Application #	Filing Date	Status	Publication #	Publication Date	Patent #	Issue Date	Expiration Date
Melanocortin-4 Receptor Binding Compounds and Methods of Use Thereof	EP	2178920.8	02/07/2002	Pending	EP 1363890	11/26/2003			
Melanocortin-4 Receptor Binding Compounds and Methods of Use Thereof	EP	953837.2	08/04/2000	Pending	EP 1204645 A2	05/15/2002			
Melanocortin-4 Receptor Binding Compounds and Methods of Use Thereof	JP	JP 2001515309	08/04/2000	Pending	JP 2003528810 T2	9/30/2003			
Melanocortin-4 Receptor Binding Compounds and Methods of Use Thereof	US	60/147,288	08/04/1999	Abandoned					
Melanocortin-4 Receptor Binding Compounds and Methods of Use Thereof	US	60/223,277	08/03/2000	Abandoned					
Melanocortin-4 Receptor Binding Compounds and Methods of Use Thereof	US	09/632,309	08/04/2000	Abandoned					

**EXHIBIT A (Cont)**

Title	Country	Application #	Filing Date	Status	Publication #	Publication Date	Patent #	Issue Date	Expiration Date
Melanocortin-4 Receptor Binding Compounds and Methods of Use Thereof	PCT	PCT/US00/21327	08/04/2000	Abandoned	WO 01/10842	02/15/2001			
Melanocortin-4 Receptor Binding Compounds and Methods of Use Thereof	AU	AU 200066216	08/04/2000	Pending					
Melanocortin-4 Receptor Binding Compounds and Methods of Use Thereof	BR	BR 200012984	08/04/2000	Lapsed					
Melanocortin-4 Receptor Binding Compounds and Methods of Use Thereof	CA	CA 2381008	08/04/2000	Lapsed					
Melanocortin-4 Receptor Binding Compounds and Methods of Use Thereof	MX	2002/001160	08/04/2000	Pending					
Melanocortin-4 Receptor Binding Compounds and Methods of Use Thereof	PCT	PCT/US02/3566	02/07/2002	Abandoned					
Melanocortin-4 Receptor Binding Compounds and Methods of Use Thereof	PCT	PCT/US04/19124	06/15/2004	Pending					

**EXHIBIT A (Cont)**

Title		Publication #		Publication Date		Parent #		Issue Date		Expiration Date	
Modulators of Melanocortin Receptor	US	03	Pending								
Modulators of Melanocortin Receptor	US	US03/038369	12/4/2003	Pending							
Modulators of Melanocortin Receptor	US	60/430,789	12/4/2002	Abandoned							

PCT/US03/  
038369